

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RODNEY E. BRANTON,

Plaintiff,

v.

1:15-CV-00005
(DNH/TWD)

COLUMBIA COUNTY, NEW YORK; JAMES A. CARLUCCI, Assistant D.A.; JONATHAN D. NICHOLAS, County Judge; SUSAN KUSMINSKY, Court Assistant; RICHARD A. MCNALLY, JR., Acting Judge; JASON C. FINN, Police Officer; NEW YORK STATE POLICE; ABDUL WEED, Investigator; SHANNON J. SULLIVAN, Trooper; NEW YORK DEPT. OF CORRECTIONS AND COMMUNITY SUPERVISION; ANTHONY J. ANNUCCI, Acting Commissioner; JAMES B. MCGOWAN, New York State Department of Law; NEW YORK ATTORNEY GENERAL; and RICHARD M. PLATKIN, Acting Judge,

Defendants.

APPEARANCES:

RODNEY E. BRANTON
14-A-4032
Plaintiff pro se
Coxsackie Correctional Facility
Box 999
Coxsackie, NY 12051

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Rodney E. Branton brought this civil rights action pursuant to 42 U.S.C. § 1983. On April 17, 2015, the Honorable Thérèse Wiley Dancks, United States Magistrate

Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed without leave to amend and that the motion to set aside judgment be denied as moot. Plaintiff timely filed objections to the Report-Recommendation, as well as filing a letter motion received May 6, 2015, requesting to withdraw his request for a preliminary injunction.

Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

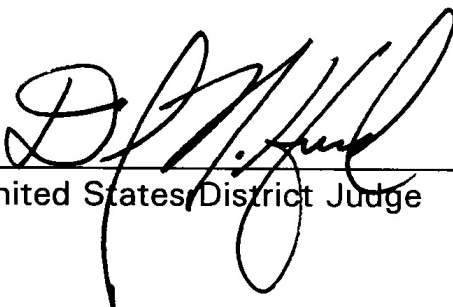
Therefore, it is

ORDERED that

1. Plaintiff's complaint is DISMISSED without leave to amend;
2. The motion to set aside judgment is DENIED as moot;
3. Plaintiff's request to withdraw his request for a preliminary injunction is DENIED as moot; and
4. The Clerk is directed to serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

IT IS SO ORDERED.

Dated: May 26, 2015
Utica, New York.


United States District Judge